

BEFORE THE COMPOSITE STATE BOARD OF MEDICAL EXAMINERS

STATE OF GEORGIA

Composite State Board  
of Medical Examiners

APR 04 2003

IN THE MATTER OF:

RHETT BERGERON, M.D.  
License No. 44683,

Respondent.

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DOCKET NO.

DOCKET NUMBER

20030081

**PUBLIC CONSENT ORDER**

By agreement of the Composite State Board of Medical Examiners ("Board") and Rhett Bergeron, M.D. ("Respondent"), the following disposition of this matter is entered into pursuant to the provisions of O.C.G.A. § 50-13-13 (a) (4), as amended.

**FINDINGS OF FACT**

1.

The Respondent is licensed to practice as a physician in the State of Georgia and was licensed at all times relevant to the matters stated herein.

2.

On or about June 20, 2000 and June 29, 2000, Patient J.K was evaluated by Respondent and scheduled to receive chelation treatment.

3.

On or about July 3, 2000, Patient J.K began his IV nutritional therapy and the therapy continued until July 13, 2000.

4.

Respondent's records do not indicate that Patient J.K who received chelation therapy from Respondent's nurse signed informed consent as required under O.C.G.A. § 43-34-42.1.

5.

Respondent admits to the above findings of fact and waives any further findings of fact with respect to the above matter.

**CONCLUSIONS OF LAW**

The Respondent's conduct constitutes sufficient grounds for the imposition of discipline upon his license to practice as a physician in the State of Georgia pursuant to O.C.G.A. Chs. 1 and 34 T. 43, as amended. The Respondent hereby waives any further conclusions of law with respect to the above-styled matter.

**ORDER**

The Composite State Board of Medical Examiners, having considered all the facts and circumstances of this case, hereby orders, and Respondent hereby agrees, that the following sanctions shall be imposed upon the Respondent's license to practice as a physician in the State of Georgia.

1.

Respondent agrees this order will serve as a public reprimand for his failure to obtain properly signed informed consent forms on patient J.K. and may be disseminated as the Board sees fit.

2.

The Respondent acknowledges that Respondent has read this Consent Order and understands its contents. Respondent understands that the Respondent has the right to a hearing in this matter and freely, knowingly and voluntarily waives that right by entering into this Consent Order. Respondent understands and agrees that a representative of the Department of Law may be present during the Board's consideration of this Consent Order and that the Board

shall have the authority to review the investigative file and all relevant evidence in considering this Consent Order. Respondent further understands that this Consent Order will not become effective until approved and docketed by the Composite State Board of Medical Examiners.

**Respondent understands that this Consent Order, once approved and docketed, shall constitute a public record, evidencing disciplinary action by the Board.** However, if this Consent Order is not approved, it shall not constitute an admission against interest in this proceeding, or prejudice the right of the Board to adjudicate this matter. Respondent hereby consents to the terms and sanctions contained herein.

Approved, this 4<sup>th</sup> day of April, 2003.

**COMPOSITE STATE BOARD OF  
MEDICAL EXAMINERS**

(BOARD SEAL)

BY:

E. R. Cheeks, M.D.  
EDDIE R. CHEEKS, M.D.  
President

ATTEST:

Karen Mason  
KAREN MASON  
Executive Director  
Composite State Board of Medical  
Examiners

CONSENTED TO:

Rhett Bergeron  
RHETT BERGERON, M.D.  
Respondent

Sworn to and Subscribed  
Before me this 6 day  
of March, 2003.

Charles Hollis

NOTARY PUBLIC

My commission expires:

Notary Public, Henry County, Georgia  
My Commission Expires March 13, 2005